

# UNITED STATES DISTRICT COURT

for the  
District of South Carolina

\_\_\_\_\_  
Boyce Lee Nesbitt,

*Petitioner*

v.

\_\_\_\_\_  
Warden Tim Riley,

*Respondent*

)  
)  
)  
)  
)

Civil Action No. 0:15-cv-01590-JMC

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the petitioner (*name*) \_\_\_\_\_ recover from the respondent (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus post-judgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) \_\_\_\_\_ recover costs from the petitioner (*name*) \_\_\_\_\_.

☒ other: the petitioner, Boyce Lee Nesbitt, shall take nothing of the respondent, Warden Tim Riley, as to the petition filed and this action is dismissed with prejudice for failure to prosecute.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable J. Michelle Childs, United States District Judge, presiding, having adopted the Report and Recommendation set forth by the Honorable Paige J. Gossett, United States Magistrate Judge, which dismissed the petition for failure to prosecute.

Date: December 4, 2015

ROBIN L. BLUME, CLERK OF COURT

s/G. Mills

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*